

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

J & J SPORTS PRODUCTIONS, INC.,

Plaintiff,

- against -

**SPENCER CINEUS individual and d/b/a
CITADELLE BAR & RESTAURANT aka
CITADELLE LOUNGE; and CITADELLE
INCORPORATED, an unknown entity d/b/a
CITADELLE BAR & RESTAURANT aka
CITADELLE LOUNGE,**

Defendants.

X

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: **MEMORANDUM DECISION
AND ORDER**

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: 18-CV-5109 (AMD) (PK)

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X

ANN M. DONNELLY, United States District Judge:

On September 11, 2018, the plaintiff brought this action against the defendants pursuant to the Federal Communications Act of 1934, 47 U.S.C. § 151. (ECF No. 1.) The plaintiff moved for default judgment on May 1, 2020 (ECF No. 24) and I referred the motion to Magistrate Judge Peggy Kuo for a Report and Recommendation (“R&R”). The plaintiff moved for attorneys’ fees on February 8, 2021. (ECF No. 28.) On March 4, 2021, I adopted Judge Kuo’s R&R granting the plaintiff’s motion for default judgment and awarding \$6,000 in damages. (ECF No. 28.) The same day, I referred the plaintiff’s motion for attorneys’ fees to Judge Kuo for a separate R&R.

Judge Kuo issued a R&R on the plaintiff’s motion for attorneys’ fees on May 30, 2021, in which she recommends that the plaintiff’s motion be denied as to attorneys’ fees and granted in part as to costs. (ECF No. 30 at 1.) Judge Kuo recommends that the plaintiff be awarded costs in the amount of \$563—\$400 in filing fees and \$163 in service of process fees. (*Id.* at 7.) No party has filed an objection to the R&R and the time to do so has passed.

A district court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1). To accept those portions of the report and recommendation to which no timely objection has been made, “a district court need only satisfy itself that there is no clear error on the face of the record.” *Jarvis v. N. Am. Globex Fund L.P.*, 823 F. Supp. 2d 161, 163 (E.D.N.Y. 2011) (internal quotation marks omitted).

I have reviewed Judge Kuo’s thorough and well-reasoned R&R and find no error. Accordingly, I adopt the R&R in its entirety. The plaintiff’s motion for attorneys’ fees is denied as to attorneys’ fees and granted in part as to costs in the amount of \$563. The Clerk of Court is respectfully directed to enter judgment in favor of the plaintiff.

SO ORDERED.

s/Ann M. Donnelly

ANN M. DONNELLY
United States District Judge

Dated: Brooklyn, New York
June 21, 2021